



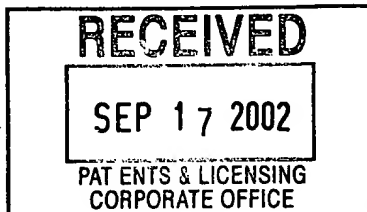
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,960	06/06/2000	Kar W. Yung	PD-200066	9611

20991 7590 09/11/2002

HUGHES ELECTRONICS CORPORATION
PATENT DOCKET ADMINISTRATION
BLDG 001 M/S A109
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EXAMINER	
LE, THANG Q	
ART UNIT	PAPER NUMBER

DATE MAILED: 09/11/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/587,960	YUNG ET AL.	
	Examiner	Art Unit	
	Thang Q Le	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-21 is/are rejected.
- 7) ☒ Claim(s) 8 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____ .
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884) in view of Dai (US 6298238 B1) and Prieto, Jr. et al (US 6381228 B1)

1. As to claim 1, Silberger teaches a method for allocating system resources in a multi-platform communication system, comprising:

providing a plurality of individual transponding nodes (see fig.2 and col.7; lines 35-62);
assigning each of said plurality of remote users one or more resource cells in platform-code space depending upon service requirements of each of said plurality of remote users (col.7; line 20- col. 8; lines 38);

wherein each resource cell assigned to a particular user enables him to transmit signals to or from the hub through a particular one of said transponder nodes and using a particular code (col.7 ; line 20 -col.8; line 38). The user (222) transmits signals to the hub (224) through a particular transponder node (214) and using a particular code that is assigned to the user.

Silberger fails to show steps of processing a plurality of local user signals at a ground hub to compensate for differential propagation delays to any one of a plurality of remote users and

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assigning each of said plurality of remote users a profit value, which is dependent upon certain predetermined user criteria;

However, Dai teaches that a ground hub is used to compensate for differential propagation delays to any one of a plurality of remote users (fig. 5 and col.9; line 66-col.10; line 23). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Dai to the system of Silberger in order to increase accuracy in communication links.

Silberger and Dai fails to disclose the step of assigning of each of said plurality of remote users a profit value, which is dependent upon certain predetermined user criteria. However, Prieto teaches a method that can decides whether to grant, deny or delay the services request of users based on predetermined user criteria (col.4; line 55-col.5; line 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Prieto into the combined method of Silberger and Dai in order to determine the effective or equivalent available bandwidth capacity for particular user based on predetermined user criteria so as to improve communication system.

2. As to claims 2, Silberger teaches transponding nodes are high altitude platform system (See fig. 2 and col. 7; lines 35-62).
3. As to claims 5 and 6, Silberger teaches said system utilizes a FDMA technique or CDMA technique, Silberger inherently teaches that said system utilizes TDMA technique.
4. As to claim 7, Perietto inherently teaches determining a total profit/utility value for the system based partly on said assigned user utility value (col.4; line 55- col.5; line 12).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884), Dai (US 6298238 B1) and Prieto, Jr. et al (US 6381228 B1) as applied to claim 1 above, and further in view of Coleman (US 6205320 B1).

5. As to claim 3, Silberger, Dai and Prieto fail to disclose high altitude platform system is comprised of a plurality of manned/unmanned airships. However, Coleman teaches high altitude platform system is comprised of a plurality of manned/unmanned airships (see col.2; lines 38-41 or col.3; lines 31-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Coleman to the combined method of Silberger, Dai and Prieto in order to provide used low cost communication devices for use in communication system.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884), Dai (US 6298238 B1) and Prieto, Jr. et al (US 6381228 B1) as applied to claim 1 above, and further in view of Lemelson et al (US 6084510)

6. As to claim 4, Silberger, Dai and Prieto fail to disclose high altitude platform system is comprised of a plurality of high altitude balloons. However, Lemelson teaches high altitude platform system is comprised of a plurality of high altitude balloons (fig.1 and col.8; line 48-col.9; line 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Lemelson to the combined method of Silberger, Dai and Prieto in order to provide used low cost communication devices for use in communication system.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884) in view of Prieto, Jr. et al (US 6381228 B1)

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7. As to claim 9, Silberger teaches mobile wireless communication system for a variety of different mobile user types (col.7; lines 9-18) comprising:

a plurality of individual transponding nodes (see fig.2 and col.7 ; lines 35-62);

a plurality of individual resource cells each associated with a particular one of said plurality of individual transponding nodes and a particular one of a plurality of available codes; (col. 7. line 20- col.8 ; line 38)

a plurality of mobile terminals, each of which is assigned to operate in one or more of said plurality of individual resource cells (col. 7; lines 20-62). The mobile 222 is assigned to operate in resource cell of transponding node 214 (or 216)

a central hub for establishing links with one or more of said plurality of mobile terminals and for assigning one or more of said resource cells to each of said plurality of mobile terminals (col. 7. lines 20-34; col.8 ; lines 5-38).

Silberger fails to disclose the profit value assigned to each of plurality of mobile terminals and a central hub for assigning said profit value to each of said plurality of mobile terminals. However, Prieto teaches a method that can decides whether to grant, deny or delay the services request of users based on predetermined user criteria (col.4; line 55-col.5; line 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Prieto into the method of Silberger in order to determine the effective or equivalent available bandwidth capacity for particular user based on predetermined user criteria so as to improve communication system.

8. As to claim 10, Silberger teaches central hub establishes links to users (220 and 222) through one or more (214 and 216) of said plurality of transponding nodes wherein the specific

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transponding node and code used to complete each of said links are determined by said resource cells assigned to said user (col.7; line 20 –col.8; line 38)

9. As to claim 12, Silberger teaches transponding node is a high altitude platform system.

10. As to claim 15, Prieto teaches the system priority is given to users having a preselected profit value to avoid congestion state of the destination downlink port, so the profit of system is maximized.

11. As to claim 16, Silberger inherently teaches power to a particular one of said plurality of mobile terminals is increased by increasing the number of said plurality of platforms assigned to said particular user (col. 9; lines 44-53). Power (321 or 320) to mobile terminals is supplied to detect pilot signal, which is transmitted by particular platform to the terminals (col. 8; lines 5-14). Therefore, the power is increased when more pilot signals sent to the user terminal or more platform assigned to the user terminal.

12. As to claim 17, Silberger teaches mobile terminal (222) is assigned resource cells (of 216) in platform-code space for said return link (to hub 226) that are different from said resource cells (of 214) in platform-code space assigned for said forward link (from hub 226).(See fig. 2 and col.7; lines 35-62).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884) in view of Dai (US 6298238 B1) and Prieto, Jr. et al (US 6381228 B1)

13. As to claim 11, Silberger and Prieto fail to disclose said central hub pre-processes signals for forward link transmission such that they are radiated with compensating time delays to an intended one of said plurality of mobile users who coherently receives all such signals intended for him; and

wherein said central hub post-processes received signals to introduce compensating time delays such that all such signals received from a particular remote user may be coherently processed together.

However, Dai teaches a method for compensating time delay in which said central hub pre-processes signals for forward link transmission such that they are radiated with compensating time delays to an intended one of said plurality of mobile users who coherently receives all such signals intended for him (see fig. 1, 5 and col. 9; line 66- col. 10; line 23); and

wherein said central hub post-processes received signals to introduce compensating time delays such that all such signals received from a particular remote user may be coherently processed together.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Dai to the combined method of Silberger and Prieto in order to increase accuracy in communication links.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884) and Prieto, Jr. et al (US 6381228 B1) as applied to claim 9 above, and further in view of Coleman (US 6205320 B1).

14. As to claim 13, Silberger and Prieto fail to disclose high altitude platform system is comprised of a plurality of manned/unmanned airships. However, Coleman teaches high altitude platform system is comprised of a plurality of manned/unmanned airships (see col.2; lines 38-41 or col.3; lines 31-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Coleman to the combined method of

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Silberger and Prieto in order to provide used low cost communication devices for use in communication system.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884) and Prieto, Jr. et al (US 6381228 B1) as applied to claim 9 above, and further in view of Lemelson et al (US 6084510)

15. As to claim 14, Silberger and Prieto fail to disclose high altitude platform system is comprised of a plurality of high altitude balloons. However, Lemelson teaches high altitude platform system is comprised of a plurality of high altitude balloons (fig.1 and col.8; line 48-col.9; line 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Lemelson to the combined method of Silberger and Prieto in order to provide used low cost communication devices for use in communication system.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Silberger et al (US 6028884) in view of Prieto, Jr. et al (US 6381228 B1)

16. As to claim 18, Silberger teaches method for allocating system resources in a multi-platform communication system, comprising:

providing a plurality of mobile users (see fig.2 and col.7; lines 35-62);

establishing a link between each of said plurality of mobile users and a ground hub through one or more of a plurality of transponding nodes (see fig.2 and col.7 ; lines 35-62);

processing a plurality of local user signals at said ground hub (see fig.2 and col.7 ; lines 35-62);

transmitting signals to or from said ground hub through one or more of said transponder modes and one or more resource cells (see fig.2 and col.7; lines 20-62).

Silberger fails to show the step of assigning each of said plurality of mobile users an individual profit value indicative of a particular type of service requested by said mobile user. However, Prieto teaches a method that can decide whether to grant, deny or delay the services request of users based on predetermined user criteria and the type of service of the user (col.4; line 55-col.5; line 12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the method of Prieto into the method of Silberger in order to determine the effective or equivalent available bandwidth capacity for particular user based on predetermined user criteria so as to improve communication system.

17. As to claim 19, Silberger teaches that each of said plurality of transponding nodes is a high altitude platform system (see fig.2 and col.7; lines 35-62)

18. As to claim 20, Silberger teaches the step of assigning each of said plurality of mobile users one or more of said resource cells, which are each associated with a particular one of said plurality of transponding modes and a particular one of a plurality of available codes (col.7 ; line 20- col. 8; line 38).

19. As to claim 21, Prieto inherently teaches the step of determining a total profit/utility value for the system based partly on said assigned mobile user profit value (col.4; line 55- col.5; line 12).

Allowable Subject Matter

20. Claim 8 is objected to as being dependent upon a rejected base claim 6, but would be allowable if rewritten in independent form including all of the limitations of the base claim and

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any intervening claims. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose or render obvious a motivation to provide constraints in the claim 8.


Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang Q Le whose telephone number is (703)305-4367. The examiner can normally be reached on Monday-Friday 8AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703)308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)308-5403 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

THANG LE
September 3, 2002


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

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Form PTO-1449	Serial Number 09/587,960	Docket 200066
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)	Applicant KAR YUNG ET. AL	
	Filing Date June 6, 2000	Group 2683

U.S. PATENT DOCUMENTS

		Document Number	Date	Name	Class	Sub Class

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Name	Class	Sub Class

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

TL		Suzuki, R. et. al, "Mobile TDM/TDMA System With Active Array Antenna", Global Telecommunications Conference, 1991; Globecom '91, vol. 3, Dec. 2-5, 1991, pp. 1569-1573
TL		Chiba, Isamu et. al, "Digital Beam Forming (DBF) Antenna System for Mobile Communications", IEEE AES Systems Magazine, Sept. 1997, pp. 31-41.
TL		Miura, Ryu et. al, "A DBF Self-Beam Steering Array Antenna for Mobile Satellite Applications Using Beam-Space Maximal-Ratio Combination", IEEE Trans. On Vehicular Technology, vol. 48, no. 3, May 1999, pp. 665-675.
TL		Sato, Kazuo et al., "Development And Field Experiments of Phased Array Antenna For Land Vehicle Satellite Communications", IEEE Antennas and Propagation Society International Symposium, 1992, July 1992, pp. 1073-1076.
TL		Sakakibara, Kunio et. al, "A Two-Beam Slotted Leaky Waveguide Array for Mobile Reception of Dual-Polarization DBS", IEEE Transactions on Vehicular Technology, vol. 48, no. 1, Jan. 1999, pp. 1-7
Examiner <i>Shang</i>		Date Considered 09/03/02

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INFORMATION DISCLOSURE CITATION

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NOV 27 2001

Document Number (Optional)

EMS-005C

Application Number

09/957,855

Applicant(s)

Sandahl et al.

Filing Date

September 21, 2001

Group Art Unit

2681

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
T.L.	1	5,010,330	04/23/91	Snowden et al.			
TL	2	5,740,549	04/14/98	Reilly et al.			
TL	3	5,895,471	04/20/99	King et al.			
TL	4	5,905,719	05/18/99	Arnold et al.			
TL	5	5,926,104	07/20/99	Robinson			
TL	6	5,936,548	08/10/99	Takatsuka			
TL	7	5,949,326	09/07/99	Wicks et al.			
TL	8	5,991,760	11/23/99	Gauvin et al.			
TL	9	6,014,560	01/11/00	Kramer			
TL	10	6,249,668	06/19/01	Abe et al.			
TL							

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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER <i>Thang</i>	DATE CONSIDERED 09/03/02
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449

Serial Number
09/587,960Docket
PD-200066INFORMATION DISCLOSURE
STATEMENT BY APPLICANTApplicant
KAR YUNG ET. AL.

(Use several sheets if necessary)

Filing Date
June 6, 2000Group
2683

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		Document Number	Date	Name	Class	Sub Class
TL		2,470,787	05/24/49	Nosker	342	12
TL		3,720,953	03/13/73	Ajioka	343	771
TL		4,635,063	01/06/87	Chang et. al	342	380
TL		4,979,170	12/18/90	Gilhousen et al.	370	104.1
TL		5,017,927	05/21/91	Agrawal et. al	342	371
TL		5,077,562	12/31/91	Chang et. al	342	368
TL		5,218,619	6/8/93	Dent	375	1
TL		5,550,809	8/27/96	Bottomley et. al	370	18
TL		5,555,257	9/10/96	Dent	370	95.1
TL		5,572,216	11/05/96	Weinberg et al.	342	357
TL		5,592,471	01/07/97	Briskman	455	52.3
TL		5,594,941	1/14/97	Dent	455	13.4
TL		5,612,701	03/18/97	Diekelman	342	354
TL		5,790,070	08/04/98	Natarajan et al.	342	354
TL		5,810,284	9/22/98	Hibbs et. al	244	13
TL		5,856,804	01/05/99	Turcotte et al.	342	371
TL		5,867,109	02/02/99	Wiedeman	340	827
TL		5,903,549	05/11/99	Von der Embse et. al	370	310
TL		5,909,460	6/1/99	Dent	375	200
TL		5,917,447	06/29/99	Wang et. al	342	383
TL		5,973,647	10/26/99	Barrett et. al	343	713
TL		6,111,542	08/29/00	Day et al.	342	359
TL		6,147,658	11/14/00	Higashi et. al	343	853

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		EP0682 416 A	11/15/95	LORAL QUALCOMM SATELLITE SERVICES, INC.		

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)

Examiner	<i>Shang</i>	Date Considered	08/24/02
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(Use several sheets if necessary)	Filing Date June 6, 2000	Group 2683

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	Document Number	Date	Name	Class	Sub Class
TL	5,444,450	8/22/95	Olds, et al.	342	357
TL	3,544,995	12/1/70	Bottenberg, et al.	342	46
TL	3,384,891	5/1/68	Anderson	342	357
TL	5,387,916	2/7/95	Cohn	342	44
TL	4,897,661	1/30/90	Hiraiwa	342	457
TL	5,006,855	4/9/91	Braff	342	357
TL	4,359,733	11/16/82	O'Neill	343	6.5
TL	4,161,734	7/17/79	Anderson	342	352
TL	4,613,864	9/23/86	Hofgen	343	357
TL	4,994,809	2/19/91	Yung, et al.	342	108
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TL	5,410,314	4/25/95	Frush, et al.	342	26
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TL	4,161,730	7/17/79	Anderson	342	352
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TL	5,945,948	8/31/99	Buford et al.	342	457
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TL	JP 09026328	01/28/97	Tokimec Inc.		
TL	JP 2-28580		Mitsubishi Electric Corp (Yamazaki)		
TL	JP 4-27887		Corresponding to USP 5,111,209		
TL	JP 07146995A	06/06/95	Nippondenso Co. LTD (Fumiaki)		
TL	JP 08015405A	01/19/96	NEC Corp (Toshiaki)		
TL	JP 09113600A	05/02/97	Aqueous Res:KK (Hiroki)		
TL	JP 10090391A	04/10/98	Sharp Corp (Koichi, et al.)		
TL	GB 2 306 827 A	05/07/97	Intl Mobile Satellite Org		
TL	GB 2 271 902 A	10/20/93	Caterpillar		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Applicant Kar W. Yung et al.	
(Use several sheets if necessary)	Filing Date June 6, 2000	Group 2683

U.S. PATENT DOCUMENTS

		Document Number	Date	Name	Class	Sub Class
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TL		3,544,995	12/1970	Bottenburg et al.	343	6
TL		5,969,674	10/1999	Von Der Embse et al.	342	357.16
TL		5,644,572	7/1997	Olds et al.	370	324
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